REMARKS

This application has been carefully considered in connection with the Examiner's Office Action dated April 29, 2008. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1, 2, 4-12 and 14-26 were pending at the time of the Office Action.

Claims 1 and 20 were objected.

Claims 1, 2, 4-12 and 14-26 were rejected under 35 USC § 102.

Summary of Response

Claims 1, 8, 16 and 20-21 are currently amended.

Claims 3 and 13 were previously canceled.

Claims 9-11, 14, 15, 18, 19, and 22-25 remain as originally submitted.

Claims 2, 4-7, 12, 17 and 26 were previously presented.

Remarks and Arguments are provided below.

Summary of Claims Pending

Claims 1, 2, 4-11, and 14-26 are currently pending following this response.

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Applicant Initiated Interview

Applicants thank Examiner Thuy Dao for his time and consideration of the proposed amendments and arguments presented in the telephone interview on July 17, 2008. In the interview, the Applicants noted that prior art does not teach reserving resources and approving a final contract before implementing applications. However, Examiner Dao suggested amendments to the independent claims for compact prosecution. In the interest of advancing prosecution, the claims have been amended herein as suggested in the interview.

Response to Objections

Claims 1 and 20 were objected to because of minor informalities.

In regard to claim 1, the Office Action requested Applicants to point out the support for the limitations "...confirming the reserved resources at each of the plurality of steps in the detailed requirement analysis". Support is provided in at least in paragraphs [0016], [0031] of the original specification and Figure 1.

Also in claim 1, line 13 has been amended to recite "detailed requirement analysis."

In regard to claim 20, in the Office Action it was requested to provide consistency in independent claim 20 and antecedent basis for dependent claims 21-26, the terms "capacity", "resources", "reserved capacity", and "reserved resources" should be

amended. The Applicants amend claim 20-21 to correct the inconsistency and to provide proper antecedent basis.

Response to Rejections

Kaelicke does not teach reserving resources before beginning to develop a software development project. Traditionally, when an analysis phase was complete, the appropriate resources, such as personnel and computing equipment, would be committed for the software development project based on the complexity of the project. However, at a later stage in the development process, circumstances may change and any of the required resources may not be available and hence a project might have to be rescheduled, redesigned, rescoped, or abandoned, therefore introducing an adverse impact on the business. Reserving of resources for a software development project enables a more efficient and effective software development cycle. The pending application reserves resources and capacity in standard releases at a point in the project development lifecycle prior to the point when requirements are definitively set.

The reservation is confirmed at the end of each step in a detailed requirement analysis. The confirmations ensure that the reservation criteria for placing the project in the release, such as available lab resources and available capacity in the release, are still being met. If discrepancies are found between the estimates and the actual progress of the project, the appropriate actions can be taken, such as revising the

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estimate, sending the project back to the Define phase changing the number of personnel assigned to the project, or using different test equipment. This allows better management of a customer's expectations on delivery times for software projects. It also allows adjustments to be made to projects and/or schedules during the evaluation, analysis, and requirements setting phases of project development. This can prevent the unanticipated adverse impact on project scope, cost, and/or schedule.

Kaelicke is directed to development process representation and management. In particular, Kaelicke teaches that a contract is presented and executed by the customer at the end of the evaluation phase. Kaelicke also teaches that reserving of resources takes place during the maintenance phase of the development process, which is after the evaluation phase of the development process. Kaelicke does not teach or suggest reserving resources prior to offering a contract to a customer and beginning the development of the software development project. This distinction, as well as others, will be discussed in greater detail in the analysis of the pending claims that follows.

Response to Rejections under Section 102

Claim 1:

Claim 1 was rejected under 35 USC § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0143811 A1 to Kaelicke, et al. (hereinafter "Kaelicke").

I.   Kaelicke does not disclose reserving resources prior to offering a contract to a customer and beginning the development of the software development project.

Claim 1 has been amended to clarify that the resources are reserved in the discovery phase of the development process, before the development and testing of the software development project. Claim 1 specifically recites "a planning department initially reviewing the provided information and providing initial feedback in the define phase prior to completing a detailed requirements analysis in the discover phase, ... wherein the detailed requirements analysis includes a plurality of steps including one or more of functional requirements modeling, system requirements modeling, and application integration modeling; ... the planning department confirming the reserved resources at each of the plurality of steps in the detailed requirements analysis." Support for the amendment may be found at least in paragraphs [0012], [0015] and [0016] of the specification.

Kaelicke is directed to development process representation and management. In particular, Kaelicke teaches that a contract is presented and executed by the customer at the end of the evaluation phase 105. (Kaleicke Paragraph [0225]-[0226]). Kaelicke also teaches that reserving of resources takes place during the maintenance phase 120 of the development process, which is after the evaluation phase of the development process. (Kaelicke Fig. 1A). Applicants respectfully submit that Kaelicke does teach beginning the development of the software after the reserving of resources and

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approving of the final contract. Kaelicke teaches estimating and confirming availability of resources for a test strategy. (Kaelicke Paragraphs [0078] and [0096]). Similarly, paragraph 0166 discloses dispatching resources to maintain the development result. Thus, Applicants submit that Kaelicke does not teach reserving resources prior to offering a contract to a customer and beginning the development of the software development project. Reserving resources prior to beginning the development of the software development project allows better management of a customer's expectations on delivery times for software projects and allows adjustments to be made to projects and/or schedules during the evaluation, analysis, and requirements setting phases of project development.

For at least the reasons established above in section I, Applicants respectfully submit that independent claim 1 is not anticipated by Kaelicke and respectfully request allowance of this claim.

Claims Depending from Claim 1:

Claims 2 and 4-7 were rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

Dependent claims 2 and 4-7 depend directly or indirectly from independent claim 1 and incorporate all of the limitations thereof. Accordingly, for at least the reasons

established in section I above, Applicants respectfully submit that claims 2 and 4-7 are not anticipated by Kaelicke and respectfully request allowance of these claims.

Claim 8:

Claim 8 was rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

Independent claim 8 includes limitations substantially similar to the limitations discussed in section I above. For example, Claim 8 recites "the customer, in the define phase, approving the project for further analysis in the discover phase ... wherein the further analysis includes a plurality of steps including one or more of functional requirements modeling, system requirements, and application integration modeling ... the planning department confirming the reserved resources at the end of at least one of the plurality of steps in the further analysis."

Thus, for at least the reasons established above in section I, Applicants respectfully submit that independent claim 8 is not anticipated by Kaelicke and respectfully request allowance of this claim.

Claims Depending from Claim 8:

Claim 9-12, 14 and 15 were rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

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Dependent claims 9-12, 14, and 15 depend directly or indirectly from independent claim 8 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicants respectfully submit that claims 9-12, 14, and 15 are not anticipated by Kaelicke and respectfully request allowance of these claims.

Claim 16:

Claim 16 was rejected under 35 USC § 102(e) as being anticipated by Kaelicke,.

Claim 16 includes limitations substantially similar to the limitations discussed in section I above. For example, Claim 16 recites "the customer deciding whether to proceed to the discover phase with the project based on the analysis of feasibility and estimate of cost ... upon deciding to proceed to the discover phase, the customer prioritizing and funding the project and the Information Technology department reserving resources for the project."

Thus, for at least the reasons established above in section I, Applicants respectfully submit that independent claim 16 is not anticipated by Kaelicke and respectfully request allowance of this claim.

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Claims Depending from Claim 16:

Claims 17-19 were rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

Dependent claims 17-19 depend directly or indirectly from independent Claim 16 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicants respectfully submit that claims 17-19 are not anticipated by Kaelicke and respectfully request allowance of these claims.

Claim 20:

Claim 20 was rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

Claim 20 includes limitations substantially similar to the limitations discussed in section I above. For example, claim 20 recites "reviewing information regarding proposed software projects and providing initial estimates of cost and duration for such projects to customers in the define phase for approval to move into a detailed analysis in the discover phase ... on receiving approval for the detailed analysis for each project, reviewing the planned series of releases and the initial estimate of cost and duration for the approved project and reserving capacity in a release having available capacity for the approved project, wherein the detailed analysis includes one or more of functional

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requirements modeling, system requirements modeling, and application integration modeling."

Thus, for at least the reasons established above in section I, Applicants respectfully submit that independent claim 20 is not anticipated by Kaelicke and respectfully request allowance of this claim.

Claims Depending from Claim 20:

Claims 21-26 were rejected under 35 USC § 102(e) as being anticipated by Kaelicke.

Dependent claims 21-26 depend directly or indirectly from independent claim 20 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in sections I above, Applicants respectfully submit that claims 21-26 are not anticipated by Kaelicke and respectfully request allowance of these claims.

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Conclusion

Applicants respectfully submit that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: July 28, 2008   /Michael W. Piper/
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